

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, NC

JUN 28 2007

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KHIENG KENG CHEA,

Defendant.

DOCKET NO. 3:07 CR 95-C

DEFENDANT'S MOTION TO
AMEND DETENTION ORDER

UNDER SEAL

Defendant Khieng Keng Chea, by and through his attorneys of record, Claire J. Rauscher and Emily Marroquin, hereby moves the Court *under seal* to amend its Detention Order to include that Mr. Chea participate in the drug treatment program for federal inmates at the Gaston County Jail. As grounds therefore, it is averred:


1. An indictment alleging that Mr. Chea distributed a controlled substance on three occasions, on two of which a firearm was used, was filed on April 25, 2007.
2. At Mr. Chea's Detention Hearing, the issue of substance abuse was not raised, and thus, was not included in Mr. Chea's Detention Order filed May 9, 2007. However, upon further investigation by counsel and meetings with Mr. Chea with a Cambodian translator, it has come to light that Mr. Chea could benefit from substance abuse treatment.
3. Mr. Chea is detained at the Gaston County Jail. It is counsel's understanding that a drug treatment program for federal inmates at that jail will be beginning shortly, however, Mr. Chea cannot enter that program without a recommendation from the Court. Typically, federal inmates

receive this recommendation in their Detention Orders.

4. The Magistrate Court's recommendation that Mr. Chea participate in the Gaston County Jail drug treatment program will allow Mr. Chea to enter the program as quickly as possible.

Based on the foregoing reasons, Khieng Keng Chea respectfully requests that this Court amend its Detention Order to include that Mr. Chea participate in the drug treatment program at the Gaston County Jail.

Respectfully submitted:



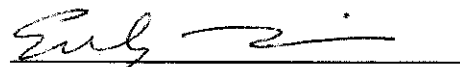
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DATE: June 28, 2007

CERTIFICATE OF SERVICE

I, Emily Marroquin, hereby certify that I have served a copy of the attached Motion to Amend Detention Order *Under Seal* upon the following via hand delivery:

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